

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:05CV506**

BARRY W. THOMAS,
Plaintiff,

v.

ALLTEL COMMUNICATIONS, INC., et al.,
Defendants.

**NOTICE OF VOLUNTARY
DISMISSALS BY PLAINTIFF**

Plaintiff Barry W. Thomas ("Thomas"), pursuant to Fed. R. Civ. P. 41(a)(1)(i), hereby gives notice that the action against SPRINT NEXTEL CORPORATION ("Sprint") is dismissed without prejudice. Neither an answer to the Complaint nor a motion for summary judgment has been served by Defendant Sprint.

Thomas further gives notice that any action against VERIZON COMMUNICATIONS INC. ("VCI"), a party not named as a defendant but inadvertently served with a copy of the Complaint and Summons, is hereby dismissed without prejudice. Neither an answer to the Complaint nor a motion for summary judgment has been served by VCI. This dismissal is not operative as to CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS.

This, the 3rd day of April, 2006.

Respectfully submitted,

s/ James M. Harrington

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing **Notice of Voluntary Dismissals by Plaintiff** is being served upon counsel of record with the Clerk of the Court using the CM/ECF system, which will send notification of the filing to the following:

- **David Neal Allen**
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This, the 3rd day of April, 2006.

s/ James M. Harrington

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